REMARKS

SECTION 102 REJECTION OF CLAIM 1

Xie teaches a system for ensuring that a message transmitted by a first node is received by a second node. In an effort to determine whether delivery has occurred, each node in *Xie* maintains a "mask" for tracking messages sent and received by that node. The technical problem *Xie* addresses is thus similar to that faced by one who mails a letter and who wishes to know if the addressee has actually received the letter.

In contrast to *Xie*, Applicant's disclosure has nothing to do with transmitting and receiving messages. Instead, Applicant's disclosure has to do with "posting a message on a message list accessible to a plurality of processors." This is analogous to posting a letter on a bulletin board accessible to anybody. It is quite different from mailing a letter.

Having described the distinction between *Xie* and Applicant's disclosure in general terms, it is useful now to turn to claim 1. In the table below, the first column lists the claim limitations, and the second column lists the specific structures from *Xie* that, as best understood from the office action, the Examiner regards as corresponding to the claim limitations in the first column.

A method for posting a message on a message list accessible to a plurality of processors, said method comprising:	
selecting a new-message slot;	When one of *Xie*'s nodes selects a new sequence number to be assigned to a message, it is "selecting a new-message slot."
placing said message in said new-message slot; and	When one of *Xie*'s nodes assigns this selected sequence number to a message that it plans to send, it is "placing said message in said new-message slot."
modifying said new-message slot to specify an intended recipient of said message, said intended recipient being selected from said plurality of processors.	When one of *Xie*'s nodes modifies its mask, it is "modifying said new-message slot to specify an intended recipient."

Xie fails to teach "selecting a new-message slot"

Xie assigns a sequence number to a message. As best understood, the Examiner regards "assigning a sequence number" as being the same as "selecting a new message slot."

A sequence number is not a "message slot." A sequence number is simply a number that identifies a message.

The ordinary meanings of "slot" and "number" are completely different. Although the Examiner is permitted to use the broadest reasonable interpretation of a claim, that interpretation must still be reasonable. The idea that "slot" and "number" mean the same thing appears unreasonable on its face.

Applicant notes that a number might be used to identify a memory location associated with a slot, just as it could be used to identify anything else.[1] But this certainly does not mean that one of ordinary skill in the art, after having read Applicant's specification, would understand "number" to mean the same thing as a "slot."

Xie fails to teach "placing said message in said new-message slot"

As noted above, the Examiner regards a "sequence-number" as being the same as a "new message-slot." With this in mind, the Examiner must regard "placing said message in said new message-slot" as meaning "placing a message in a sequence number."

When Xie assigns a sequence number to a message, it is not placing the message in the sequence number. After all, a sequence number is not some sort of location or receptacle into which one can "place" a message.

A sequence number is just a number. It is not possible to "place" a message in a number. In fact, it is difficult to even imagine the concept of placing a message "in" a number.

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[1] For example, a social-security number identifies a person, but nobody would seriously suggest that the social-security number is the person.

Xie fails to teach "modifying said new-message slot"

In _Xie_, a node maintains a mask to track the messages it has sent and received. Periodically, the node "modifies" this mask to indicate receipt of a message. The mask, however, is not a "message-slot."

The Examiner has already indicated that _Xie_'s "sequence number" corresponds to claim 1's "message slot." Now, the Examiner proposes that _Xie_'s "mask" is also a "message slot."

The Examiner's proposed construction of the claim is now becoming progressively more unreasonable. The Examiner first asks us to accept that "number" and "slot" mean the same thing. Now the Examiner proposes that "slot" and "mask" mean the same thing. By the rules of logic, this would mean "number", "mask" and "slot" would all mean the same thing to one of ordinary skill in the art who has read Applicant's specification.

Although the Examiner is entitled to construe terms in a claim broadly, such construction must also be reasonable. Applicant requests that the Examiner articulate clearly how it is possible that one of ordinary skill in the art, who has read Applicant's specification, could possibly come to the conclusion that "mask," "number," and "slot" all mean the same thing.

Xie fails to teach "modifying...to specify an intended recipient"

In _Xie_, a node maintains a mask for each intended recipient. Thus, when a node modifies a mask, it does not modify the mask to specify an intended recipient. In fact, it would be unnecessary to do so because the entire mask is _already_ associated with a single intended recipient.

Summary

The section 102 rejection of claim 1 based on _Xie_ is improper because

- _Xie_'s sequence number cannot reasonably correspond to a new-message slot;

- _Xie_'s assignment of a sequence number to a message cannot reasonably correspond to placing a message in a new-message slot;

- *Xie*'s modification of a mask cannot reasonably correspond to modifying a message slot, since the message slot has already been assigned to correspond to a sequence number; and

- *Xie*'s modification of a mask does not specify an intended recipient because each mask is already associated with an intended recipient.

A proposed section 102 rejection requires that each and every claim element be found in the cited art. This requirement has clearly not been met. Accordingly, the section 102 rejection is improper.

SECTION 102 REJECTION OF CLAIM 2

Claim 2 recites the additional limitation of "inserting said new-message slot into said message list, said message list including a first existing-message slot having a pointer to a second existing-message slot."

The Examiner cites four passages as allegedly teaching this limitation. The first three describe how a node stores sequence numbers of lost messages, how the next sequence numbers are chosen, and how sequence numbers are stored in a list or other data structure. Only the last cited passage (col. 11, lines 55-60) even refers to pointers.

Xie fails to teach a message list accessible to a plurality of processors

According to claim 1, claim 2's message list must be "accessible to a plurality of processors."

The cited passage[2] states that each node maintains both a mask and pointers that point to selected locations in that mask. The Examiner appears to regard this mask as corresponding to claim 2's "message list."

A node's mask is accessible to only one processor: the node itself. It is not accessible to other nodes. Therefore, the node's mask cannot possibly be regarded as a message list that is "accessible to a plurality of processors."

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[2] *Xie*, col. 11, lines 55-60.

Accordingly, the node's mask, which can only be accessed by the node itself, cannot be regarded as corresponding to a "message list" because it would then be inconsistent with claim 1's requirement that the message list be "accessible to a plurality of processors."

Xie fails to teach slots having pointers

Claim 2 requires that the message list include a slot "having a pointer to" another slot in the same list.

Xie describes pointers that point to locations within the mask. But there is no indication that those pointers are themselves stored within the mask itself.

The claim requires more than that there simply exist a pointer to a message slot in the message list. It also requires that the pointer be part of another message slot in the same message list, as shown, for example, in FIG. 3 of the specification.

SECTION 102 REJECTION OF CLAIM 3

Claim 3 recites the additional limitation of "setting a first pointer on said new-message slot to point to said first existing-message slot and a second pointer on said new-message slot to point to said second existing message-slot."

The Examiner cites col. 11, lines 55-60 as teaching the foregoing limitation.

The cited passage describes three pointers: one that points to a most recent sequence number, another that points to a first sequence number to be used, and a third that points to the oldest sequence number. This has nothing to do with "inserting a new message slot" into anything. Nor does it have anything to do with setting a pointer on a message slot.

In rejecting claim 1, the Examiner suggests that a "new-message slot" is a sequence number. But a sequence number is simply a number. It does not have any sort of "pointer" that could be set to point to anything. In particular, it does not have two pointers, one of which points to a first existing-message slot and another that points to a second existing-message slot.

The Examiner's suggestion that a sequence number has two pointers is difficult to understand. Applicant requests that the Examiner consider a typical sequence number, such as "123456", and: (1) identify a first pointer; (2) identify a second pointer; (3) describe how these two pointers are made to point to different locations; and (4) describe where this might be derive from *Xie*.

SECTION 102 REJECTION OF CLAIM 5

Claim 5 recites the additional limitation of modifying a "destination mask" associated with the new-message slot. According to claim 5, this "destination mask" includes information specifying all intended recipients of the message in the new-message slot.

Xie teaches that a first node maintains one mask for each destination node. When a message is intended for a second node, the first node modifies a mask associated with that second node. The Examiner appears to regard this "node mask" as a "destination mask" because it is associated with a "destination," i.e., the second node.

However, a node mask associated with a particular destination node does not have "information specifying all intended recipients of" a message. This "node mask" simply contains a bit for each message that has been sent to a particular destination node. The value of that bit specifies whether that message has been received at that destination mode.

Accordingly, the node mask associated with a destination node contains information indicating whether or not a particular message has been received by that particular node alone. This is quite different from "information specifying *all* intended recipients" of that message.

SECTION 102 REJECTION OF CLAIM 6

Claim 6 recites the additional limitation of modifying a selected data element to indicate that a selected processor corresponding to that element is an intended recipient of the message.

The cited text[3] teaches modifying a selected bit in a mask to indicate whether a message associated with that bit has been received. It is apparent, therefore, that each bit in Xi's mask is associated with a *message*, and *not* a processor.[4]

A proper section 102 rejection requires that each and every claim element be disclosed by the reference. Since *Xie* fails to disclose a mask in which data elements correspond to *processors*, and not *messages*, the section 102 rejection of claim 6 is improper.

SECTION 102 REJECTION OF CLAIM 7

Claim 7 recites the additional limitation of "updating a message directory to indicate the presence of said new-message slot in said message-list." Furthermore, this message directory must be "accessible to said plurality of processors."

The Examiner cites numerous passages, none of which describes anything like a "message directory" that is "accessible to said plurality of processors." Table **412** and list **414**, referred to in the third and fourth cited passages, are accessible only by a single node, not by a plurality of nodes. The various other data structures in the remaining passages are accessible only to a single node, not to several nodes.

Applicant requests that the Examiner quote verbatim the particular text from *Xie* that allegedly discloses a "message directory" accessible to *not just one* but a *plurality* (i.e., *two or more*) processors.

SUMMARY

Now pending in this application are claims 1-9, of which claims 1 and 6 are independent. No fees are believed to be due in connection with the filing of this response. However, to the extend fees are due, or if a refund is forthcoming, please adjust our Deposit Account No. 06-1050, referencing Attorney Docket No. 07072-127001.

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[3] *Xie*, col. 8, lines 50-67
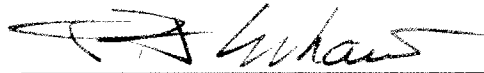[4] *Xie*, col. 8, lines 50-51. "The size of a mask determines the number of recent messages that may be tracked."

Respectfully submitted,

Date: June 5 2008

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